

The Honorable Jessica G. L. Clarke
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Rapaport v. Does 1-3*, 23-CV-06709

Re: Issuance of Third Party Subpoenas by Pro Se Assistants Pursuant to Order

Your Honor:

I am writing to inform you of issues I have encountered relating to receiving signed subpoenas pursuant to your Order in ECF no. 21. Firstly I would like to inform you that I did not receive any subpoenas prior to this Order. The docket entries such as those of 12/22/2023 and 1/3/2024 referencing 8 subpoenas being mailed to me on each day are erroneous according to the Pro Se Assistants I called at the Pro Se Intake Unit phone number. Apparently that docket entry is generated automatically at some stage of processing prior to the actual mailing of the signed subpoenas.

Today (1/4/2024) I received notice of a docket entry stating that I was mailed 3 subpoenas. The Pro Se Assistants confirmed to me that these 3 subpoenas were actually mailed, and that my other 5 requests were denied for not complying with your Order. I was told that the requests made in ECF nos. 23, 24 and 28 were the 3 approved of ECF nos. 22-29 which I requested. These 3 subpoenas pertain to the production of documents and represent 3 of those 4 subpoenas for documents I requested from Kirkland & Ellis LLP, The Federalist Society of Law and Public Policy, Lee Liberman Otis and Steven Goldblatt. Only the subpoena to obtain documents from Steven Goldblatt was denied despite containing the identical language that you specified in your Order,

which is the language I used for the 3 that were approved.

All 4 of the requested subpoenas for depositions were not issued to me despite being granted by your Order ECF no. 21 without modification or restriction. Besides from moving back the date of compliance in order to provide adequate time for service and compliance, those subpoenas are identical to the proposed ones I provided you with in ECF nos. 13-16.

In total I believe that 5 subpoenas were incorrectly refused to me through a misunderstanding or misapplication of your Order ECF no. 21. I cannot understand why the subpoena to produce documents requested for Steven Goldblatt was the only document subpoena refused or why all of the subpoenas for depositions were refused despite clearly being granted by your Order without modification.

I am respectfully requesting that you instruct a clerk of the court to sign the subpoenas I have requested in ECF nos. 22-29 and mail them to me if you find that they comply with your Order ECF no. 21.

Respectfully submitted,

/s/ Gideon Rapaport